

**R E M A R K S**

Claims 1-6 are pending in the application. Claim 1 is rejected. Claims 2-6 are objected to.

Claims 2-5 have been amended to independent form. Claim 6 depends from claim 5.

Claims 2-6 are in condition for allowance which action is respectfully requested.

Please charge Deposit Account 50-1290 for 2 extra independent claims.

Claim 1 has been rejected under 35 U.S.C. § 102(e) as being anticipated by Ohyoshi et al. (Ohyoshi).

Ohyoshi describes a header editing part which stores information with regard to a congestion notification. The reference describes that the frame relay network may recognize a congestion notification from another frame relay network and a congestion notification from an ATM network. Also col. 17, lines 24-30 describe that it is separately able to detect a congestion notification from the ATM network and from the frame relay network.

However Ohyoshi does not teach that the mode setting means for setting a mode where the mode is for deciding congestion information of an output side in accordance with a combination of the extracted congestion information and a setting condition.

While Ohyoshi recognizes congestion information there is no description of the setting a mode with regard to a combination of the extracted congestion information and a setting condition.

Further applicant claims writing the congestion information into data of the other network of said frame relay network and said ATM network in accordance with a mode set by said mode setting means.

The Office Action admits that the cited reference does not teach writing into the data of the other network, but the Office Action deems this inherent. However applicant points out that the ABSTRACT of the cited reference teaches that the system in which administrators can recognize, therefore it is submitted that this "writing" is not inherent since there is not a suggestion that the information may be sent to the other network. The reference suggests this information may be to an administrator in contrast to applicant's writing to the other network.

Further applicant also includes in this feature in accordance with a mode set by said mode setting means. The cited reference does not suggest the writing of congestion information into data in accordance with a mode set by said mode setting means. Therefore it is respectfully submitted this feature is not inherent because there is no suggestion at all of the writing in accordance with the mode.

For at least the foregoing reasons it is respectfully requested the rejection of claim 1 be withdrawn and claims 1-6 be placed in condition for allowance.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

  
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